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Senate Bill _____
By _____

House No. HB1161
By Duer

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AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 35
and Chapter 36, relative to retirement benefits for
members of the general assembly.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-36-201(e), is amended by adding
the following new sentence at the end thereof:

Any person who becomes a member of the general assembly for the first time on or
after November 5, 1996, shall not be eligible for a retirement allowance before age sixty
(60), except in the case of a disability.

SECTION 2. Tennessee Code Annotated, Section 8-36-204(c), is amended by adding
the following new sentence at the end thereof:

Provided, however, any person who becomes a member of the general assembly for the
first time on or after November 5, 1996, shall not be eligible for retirement benefits under
Section 8-36-209(b) unless the member has a minimum of five (5) years of creditable
service in the retirement system.

SECTION 3. Tennessee Code Annotated, Section 8-36-209(b), is amended by adding
the following new subdivision:

() Any person who becomes a member of the general assembly for the first time on or after November 5, 1996, shall not receive benefits under this subsection which exceed seventy-five percent (75%) of the member's average final compensation.

SECTION 4. Tennessee Code Annotated, Section 8-35-109(b), is amended by adding the following new subdivision:

() Any person who becomes a member of the general assembly for the first time on or after November 5, 1996, shall not be eligible to receive credit in the retirement system for any period of general assembly service during which the member did not exercise the option to join the retirement system.

SECTION 5. Tennessee Code Annotated, Section 8-35-124(a), is amended by designating the existing language as subdivision (1) and by adding the following new subdivision:

(2) No employee or elected or appointed official of the state or any political subdivision thereof shall be entitled to receive retirement benefits from the Tennessee Consolidated Retirement System, any superseded retirement system or any other public pension system if such employee or official is convicted of a state or federal felony offense arising out of such employment or capacity during the employee's tenure or the official's term of office.

SECTION 6. Tennessee Code Annotated, Section 8-35-124(e), is amended by designating the existing language as subdivision (1) and by adding the following new subdivision:

(2) Subdivision (a)(2) applies only to a person who becomes a member of a public pension plan after November 6, 1996.

SECTION 7. Tennessee Code Annotated, Section 8-35-203(c), is amended by designating the existing language as subdivision (1) and by adding the following new subdivision:

(2) No employee or elected or appointed official of the state or any political subdivision thereof shall be entitled to receive retirement benefits from the Tennessee Consolidated Retirement System, any superseded retirement system or any other public pension system if such employee or official is convicted of a state or federal felony offense arising out of such employment or capacity during the employee's tenure or the official's term of office.

(3) Subdivision (c)(2) applies only to a person who becomes a member of a public pension plan after November 5, 1996.

SECTION 8. Tennessee Code Annotated, Section 8-36-201(b)(2), is amended by designating the first sentence as subdivision (A), the second and third sentences as subdivision (B) and by adding the following new subdivision:

(C) No employee or elected or appointed official of the state or any political subdivision thereof shall be entitled to receive retirement benefits from the Tennessee Consolidated Retirement System, any superseded retirement system or any other public pension system if such employee or official is convicted of a state or federal felony offense arising out of such employment or capacity during the employee's tenure or the official's term of office. The procedure established in Section 8-35-124 shall be used for the implementation of this subdivision.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.